



Notice of Service of Process

KP / ALL
Transmittal Number: 23934837
Date Processed: 10/19/2021

Primary Contact: Scott Turner
Covenant Transport, Inc.
400 Birmingham Hwy
Chattanooga, TN 37419-2346

Electronic copy provided to: Brande Tweed
Brendan Oostra
Heather Miranda

Entity: Covenant Transport, Inc.
Entity ID Number 2140719

Entity Served: Covenant Transport, Inc.

Title of Action: Julius Lydell Printers vs. Michael Brent Washington

Document(s) Type: Citation/Petition

Nature of Action: Personal Injury

Court/Agency: Dallas County Court, TX

Case/Reference No: CC-21-03952-A

Jurisdiction Served: Texas

Date Served on CSC: 10/15/2021

Answer or Appearance Due: 10:00 am Monday next following the expiration of 20 days after service

Originally Served On: CSC

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214-999-9999

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**THE STATE OF TEXAS
CITATION**

CAUSE NO. CC-21-03952-A
COUNTY COURT AT LAW NO. 1
Dallas County, Texas

TO:

**COVENANT TRANSPORT, INC.
SERVE ITS REGISTERED AGENT: CORPORATION SERVICE COMPANY D/B/A
CSC-LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, STE 620
AUSTIN, TX 78701-3218**

“You have been sued. You may employ an attorney. If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.” Your answer should be addressed to the clerk of County Court at Law No. 1 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

**JULIUS LYDELL PRINTERS
*Plaintiff(s)***

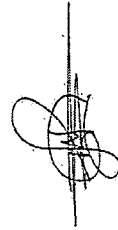
VS.

**MICHAEL BRENT WASHINGTON; COVENANT TRANSPORT, INC.
*Defendant(s)***

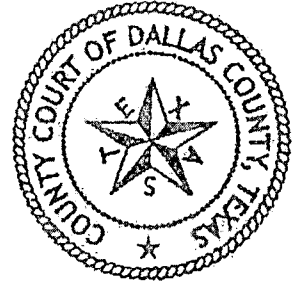
Filed in said Court on the 16th day of September, 2021, a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 17th day of September, 2021 A.D.

JOHN F. WARREN, Dallas County Clerk



By _____, Deputy
Momodou Bayo



ATTORNEY

CITATION

**PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

CC-21-03952-A

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 1
Dallas County, Texas

JULIUS LYDELL PRINTERS,
Plaintiff(s)

VS.

MICHAEL BRENT WASHINGTON;
COVENANT TRANSPORT, INC.,
Defendant(s)

SERVE:

**COVENANT TRANSPORT, INC.
SERVE ITS REGISTERED AGENT:
CORPORATION SERVICE COMPANY**

D/B/A

**CSC-LAWYERS INCORPORATING
SERVICE COMPANY
211 E. 7TH STREET, STE 620
AUSTIN, TX 78701-3218**

ISSUED THIS

17TH DAY OF SEPTEMBER, 2021

**JOHN F. WARREN, COUNTY CLERK
BY: MOMODOU BAYO, DEPUTY**

Attorney for Plaintiff

**WILLIAM S. WEBB
2777 STEMMONS FREEWAY
SUITE 1300
DALLAS TX 75207
214-999-9999**

**NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK**

OFFICER'S RETURN

CC-21-03952-A County Court at Law No. 1

JULIUS LYDELL PRINTERS vs. MICHAEL BRENT WASHINGTON, COVENANT TRANSPORT, INC.

ADDRESS FOR SERVICE:

SERVE ITS REGISTERED AGENT: CORPORATION SERVICE COMPANY D/B/A
CSC-LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, STE 620
AUSTIN, TX 78701-3218

Fees:

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____m., and executed in _____ County, Texas by delivering to
COVENANT TRANSPORT, INC. in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S ORIGINAL PETITION AND
REQUEST FOR DISCLOSURE with the date and service at the following times and places to-wit:

Name

Date/Time

Place, Course and Distance from Courthouse

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

_____ and the cause or failure to execute this process is:

_____ and the information received as to the whereabouts of said defendant(s) being:

Serving Petition and Copy \$ _____, Officer

Total \$ _____, County, Texas

By: _____, Deputy

_____, Affiant

Automated Certificate of eService

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Envelope ID: 57375640

Status as of 9/17/2021 4:21 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
WILLIAM SWEBB		krafteserve@kraftlaw.com	9/17/2021 4:20:30 PM	SENT

CAUSE NO. CC-21-03952-A

JULIUS LYDELL PRINTERS,	§	IN THE COUNTY COURT
Plaintiff,	§	
	§	
v.	§	AT LAW NO. _____
	§	
MICHAEL BRENT WASHINGTON and	§	
COVENANT TRANSPORT, INC.,	§	
Defendants.	§	DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Plaintiff, JULIUS LYDELL PRINTERS, and hereby files this, Plaintiff's Original Petition and Request for Disclosure, complaining of the Defendants, COVENANT TRANSPORT, INC. and MICHAEL BRENT WASHINGTON, and in support thereof would state the following:

I. DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 3 of Rule 190 of the Texas Rules of Civil Procedure.

II. STATEMENT OF JURISDICTION

2. This claim is brought pursuant to this Court's statutory jurisdiction as granted by Texas Government Code §25.003.

3. The amount of damages sought are within the jurisdictional limits of the court because the Plaintiff seeks only monetary relief of \$250,000 or less, including damages of any kind, penalties, costs, expenses pre-judgment interest, and attorney fees.

4. Venue is proper under Civil Practice and Remedies Code Sec. 15.002 in that all or a

substantial part of the events or omissions giving rise to Plaintiff's cause of action occurred in Dallas County, Texas.

III. DEMAND FOR JURY TRIAL

5. Plaintiff hereby makes a written request for a jury pursuant to Texas Rule of Civil Procedure 216 and tenders herewith the required jury fee.

IV. PARTIES TO THE CLAIM

6. Plaintiff is an individual and at all times material hereto is and has been a resident of Dallas, Dallas County, Texas. The last three (3) numbers of the Plaintiff's driver's license number are 853. The last three (3) numbers of the Plaintiff's social security number are 572.

7. Defendant, MICHAEL BRENT WASHINGTON, is an individual and a resident of the State of Florida, is an employee of Defendant, COVENANT TRANSPORT, INC., and may be served at 3598 SW Rivera Street, Port St. Lucie, Florida 34953 or wherever the Defendant may be found. The last three (3) numbers of the Defendant's driver's license number are 570. The last three (3) numbers of the Defendant's social security number are unknown.

8. Defendant, COVENANT TRANSPORT, INC. is a foreign for-profit corporation formed and existing under the laws of the State of Tennessee and may be served with process by serving its registered agent, Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

V. STATEMENT OF THE CASE

9. On or about December 2, 2019, Plaintiff was traveling southbound in the 8200 block of Bonnie View Road in the right hand, outside lane in Dallas, Dallas County, Texas.

10. At the same time, Defendant, MICHAEL BRENT WASHINGTON, an employee and/or

agent of Defendant, COVENANT TRANSPORT, INC., was operating a bobtail tractor traveling southbound in the 8200 block of Bonnie View Road immediately to the left of, and adjacent to, the Plaintiff's vehicle.

11. As the vehicles proceeded toward the intersection with the 4200 block of Port Blvd., suddenly and without warning, the Defendant, MICHAEL BRENT WASHINGTON, attempted to make a right hand turn onto Port Blvd., coming into the Plaintiff's lane of travel and striking Plaintiff's vehicle on the front left quarter panel.

12. At the time of the accident, Defendant, MICHAEL BRENT WASHINGTON, was operating the tractor in the course and scope of his employment and agency with Defendant, COVENANT TRANSPORT, INC., and/or Defendant, MICHAEL BRENT WASHINGTON was a permissive user of the tractor.

VI. COUNT 1- NEGLIGENCE OF MICHAEL BRENT WASHINGTON

13. Defendant, COVENANT TRANSPORT, INC., is vicariously responsible for the negligence of its employee/agent, Defendant, MICHAEL BRENT WASHINGTON. Defendant, MICHAEL BRENT WASHINGTON was negligent in one or more of the following particulars:

- a. In failing to keep such a lookout as a person of ordinary prudence would have kept under the same or similar circumstances;
- b. In failing to drive his vehicle at a rate of speed that an ordinary and prudent person would have driven under the same or similar circumstances;
- c. In failing to maintain his vehicle under proper control;
- d. In failing to drive his vehicle in its proper lane;
- e. For other acts of negligence that may be supported by the evidence at trial.

VII. COUNT 2- NEGLIGENCE OF L Y COVENANT TRANSPORT, INC.

14. Defendant, COVENANT TRANSPORT, INC., is further negligent for failing to properly train Defendant, MICHAEL BRENT WASHINGTON:

- f. In failing to keep such a lookout as a person of ordinary prudence would have kept under the same or similar circumstances;
- g. In failing to drive his vehicle at a rate of speed that an ordinary and prudent person would have driven under the same or similar circumstances;
- h. In failing to maintain his vehicle under proper control;
- i. In failing to drive his vehicle in its proper lane;
- j. For other acts of negligence that may be supported by the evidence at trial.

To avoid other acts of negligence that may be supported by the evidence at trial.

VIII. COUNT 3 – RESpondeat SUPERIOR

15. Defendant, COVENANT TRANSPORT, INC., is liable for the negligence of Defendant, JOHN DOE, described above, pursuant to the doctrine of respondeat superior because Defendant, MICHAEL BRENT WASHINGTON, was acting in the course and scope of his employment or agency with Defendant, COVENANT TRANSPORT, INC. at the time of this occurrence.

IX. COUNT 4 – NEGLIGENCE ENTRUSTMENT

16. Defendant, COVENANT TRANSPORT, INC., and Defendant, MICHAEL BRENT WASHINGTON'S, supervisors negligently entrusted the vehicle in which Defendant, MICHAEL BRENT WASHINGTON, was traveling at the time of the occurrence to him when they knew or should have known that Defendant, MICHAEL BRENT WASHINGTON, was unlicensed and/or incompetent and/or reckless.

X. COUNT 5 – NEGLIGENCE HIRING, SUPERVISION, TRAINING AND RETENTION

17. Defendant, COVENANT TRANSPORT, INC., is liable for the negligence of Defendant, MICHAEL BRENT WASHINGTON, and his supervisors, and is independently liable for failure to use ordinary care in the hiring, supervision, training and retention of Defendant, MICHAEL BRENT WASHINGTON, and his supervisors, and that failure to use ordinary care proximately caused Plaintiff's injuries.

XI. COMPENSATORY DAMAGES

18. As a result of the collision above described, Plaintiff suffered severe personal injuries causing him, in turn, to sustain permanent physical impairment and disability, as well as loss of wages and loss of earning capacity in the past and in the future.

19. As a result of the collision described, Plaintiff has experienced physical pain and mental anguish and will, in all reasonable probability, continue to do so in the future.

20. By reason of the nature and severity of Plaintiff's injuries, Plaintiff has been caused to incur medical charges and expenses in the past and will continue to incur medical expenses in the future for the proper care and treatment of his injuries. Said charges were for necessary medical treatment and were fair and reasonable and the usual and customary charges for said services at the times and places rendered.

XII. PRAYER

21. WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants be duly cited to appear and answer herein and that upon final hearing hereof Plaintiff recover:

- a. Judgment against Defendants for Plaintiff's damages as set forth above, in an amount in excess of the minimum jurisdictional limits of this Court;
- b. Interest on said judgment at the legal rate from the date of judgment until paid;


- c. Pre-judgment/Post-judgment interest at the maximum amount allowed by law;
- d. Reasonable and necessary attorney's fees;
- e. Costs of court;
- f. Such other and further relief, general and special, to which Plaintiff may be entitled, either at law or in equity.

XIII. REQUEST FOR DISCLOSURE

22. Pursuant to Rule 194, you are requested to disclose, within fifty (50) days of the service of this request, the information or material described in TRCP 194.2 (a), (b), (c), (e), (f), (g), (h), (i), (j), (k) and (l).

Respectfully submitted,

Kraft & Associates, P.C.



WILLIAM S. WEBB

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E-mail: swebb@kraftlaw.com
ATTORNEY FOR PLAINTIFF

IMPORTANT NOTICE TO DEFENDANTS:

YOU MUST DELIVER THIS PETITION IMMEDIATELY TO YOUR INSURANCE COMPANY.

THIS PETITION INCLUDES PLAINTIFF'S REQUEST FOR DISCLOSURE